

ETEXT ATTACHMENT

10/31/2002 18 : 35

Jane Parks
Reports Analysis Division
Federal Election Commission
999 E Street, N.W.,
Washington, D.C. 20463

Identification Number: C00135368

Reference: August Monthly Report (7/1/02-7/31/02)

Dear Ms. Parks:

This letter is in response to your request for additional information regarding the data contained in the above referenced report. As per your suggestion, we have tried to incorporate the information contained in this letter into the text function of the FEC4 software, but were not able to validate the report. We have followed the instructions given by the FEC technical support staff without success. We were informed that the latest version of FEC File (version 4 - build 8.1) would allow us to submit memo text. When we entered the text, these memo entries were reported as errors, causing the validation to fail. Consequently we filed the amended report without memo entries and tried to fax you a letter with all the information

requested, without success. This morning I spoke to Maureen Benitz who advised me to send the information below as miscellaneous electronic submissions.

An itemization of the information requested follows:

- Schedule B supporting Line 23: The report was amended accordingly and filed on 10/30/02.
- Schedule E: You have requested additional information regarding the independent expenditures made by the Sierra Club in support of candidate Lynn Rivers. As required under the Federal Election Campaign Act and pursuant regulations, these expenditures were made without cooperation or consultation with any candidate, or any authorized committee or agent of such candidate and were not made in concert with or at the request or suggestion of, any candidate, or any authorized committee or agent of such candidate.
See 2 U.S.C. 431(17). The communications involved in the independent expenditures made were not created, produced or distributed: (1) at the request or suggestion of the candidate, party or their agents;

(2) after the candidate or party exercised control or decision making authority over the communication or the details of the communication; or (3) after substantial discussion or negotiation, resulting in collaboration or agreement, between the Club and the candidate, Rivers campaign or the party concerning the communication.

See 11 CFR 100.23. The in kind contribution reported on Schedule B did not involve any communication, cooperation or consultation that precluded the Sierra Club from making independent expenditures in this election.
- Identification of all individuals who contribute in excess of \$200 in a calendar year:

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The above referenced report was amended accordingly and filed on 10/30/02. Some information is still missing as we have not yet received

it from the contributing individuals and the Sierra Club does not possess the information in any other records. We have used "best efforts"

to obtain this information.

The Sierra Club's procedure for requesting that information is as follows:

First, when a political contribution is solicited the required information is requested. The language used in our fundraising communications

is as follows:

"Federal law requires us to use our best efforts to collect and report the name, mailing address, occupation, and the name of employer of

individuals whose contributions exceed \$200 per calendar year.

Name:

Employer:

Occupation:

Home Address:

City/State/Zip:"

[Continued on next Miscellaneous Electronic Submission]...